

Court of Appeals, State of Michigan

ORDER

JPMorgan Chase Bank NA v Erwin Properties LLC

Docket No. **351512**

LC No. **19-000495-CH**

Michael F. Gadola, Judge, acting under MCR 7.211(E)(2) and MCR 7.219(I), orders:

The motion to waive fees filed on March 12, 2020 is DENIED. This Court denied appellants' prior motion to waive fees in this appeal in a December 10, 2019 order. Whether this subsequent motion to waive fees is construed as filed on behalf of both appellants or only the individual appellant it is meritless. There remains no sound basis for a fee waiver for the corporate appellant. See MCR 2.002(A)(1). Further, this present motion to waive fees again provides no sound basis for a determination that the individual appellant is indigent, particularly there is no specific information about the assets available to her.

In addition, on the Court's own motion pursuant to MCR 7.216(C)(1), the Court ASSESSES SANCTIONS for the filing of the present frivolous and vexatious motion to waive fees. In light of the prior order denying a motion to waive fees in this appeal it was frivolous and vexatious for the present motion to be filed without providing specific information about the assets available to the individual appellant. Stacy Erwin Oakes (P61482) shall pay to the Clerk of this Court, within 21 days after the date of this order, plus any additional time pursuant to the tolling provision of Administrative Order No. 2020-4, costs in the sum of \$250 as a sanction for filing the present frivolous and vexatious motion.





A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

April 10, 2020

Date


Chief Clerk